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6 Attorney for Mario Castro

7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MARIO CASTRO,

14 Defendant.

Case No. 2:19-cr-00295-GMN-NJK

**THIRD STIPULATION TO MODIFY
CONDITIONS OF RELEASE**

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, and Department of Justice Trial Attorney Timothy T. Finley,
18 and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant Federal Public
19 Defender, counsel for Mario Castro, that Mr. Castro's conditions of release be modified to allow
20 him to travel to Houston, Texas on one occasion to pick up a truck he recently purchased.

21 This Stipulation is entered into for the following reasons:

22 1. On August 18, 2020, the parties stipulated to Mario Castro's temporary pretrial
23 release based, in part, on Mr. Castro's health condition and the transmission of COVID-19 at
24 the Nevada Southern Detention Center. ECF No. 134. The parties proposed several conditions
25 for Mr. Castro's release. *Id.*

26 2. On August 26, 2020, the Court held a hearing and released Mr. Castro on
conditions. ECF No. 137. One of the conditions of Mr. Castro's release requires him to

1 maintain employment. ECF 141 at 5. Mr. Castro maintained employment, but his employment
2 is not fulltime and his wage is insufficient to support his family.

3 3. On October 14, 2021, this Court modified Mr. Castro's conditions of release to
4 expand his travel restriction to include the states of Nevada and California. ECF No. 225. The
5 Court did this to allow Mr. Castro to become employed full time as a truck driver transporting
6 vegetables from Southern California to Las Vegas for his current employer. This would allow
7 Mr. Castro to earn significantly more than his current wage and make it possible for him to
8 support his family.

9 4. Mr. Castro recently purchased a truck to transport vegetables between California
10 and Nevada and requests permission for a one-time trip to Houston, Texas to pick it up.

11 5. Since the Court granted this modification, Mr. Castro has begun his truck
12 driver's training. He has a permit to drive trucks and only lacks his driving skills test to obtain
13 a commercial driver's license. The permit will allow Mr. Castro to drive the truck from Houston
14 to Nevada with another licensed truck driver. Mr. Castro's son-in-law, a commercial truck
15 driver, will accompany Mr. Castro on the trip to and from Houston, thereby permitting Mr.
16 Castro to drive the truck and practice his driving skills before taking the skills test.

17 6. Undersigned counsel contacted Mr. Castro's supervising pretrial services
18 officer, Officer McKillip, who has no objection to Mr. Castro's request. The government also
19 does not oppose this request.

20 7. Mr. Castro will inform his pretrial services officer of his itinerary before
21 traveling to and from Houston to pick up his truck.

22 DATED this 23rd day of November 2021.

23 RENE L. VALLADARES
24 Federal Public Defender

25 By /s/ Brian Pugh

26 BRIAN PUGH
Assistant Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

By /s/ Timothy T. Finley

TIMOTHY T. FINLEY
U.S. Department of Justice

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

Case No. 2:19-cr-00295-GMN-NJK

4 Plaintiff,

ORDER

5 v.

6 MARIO CASTRO,

7 Defendant.
8

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10 Pending before the Court is the parties' third stipulation to modify conditions of pretrial
11 release. The parties ask the Court to modify Defendant's pretrial release conditions to allow
12 him one-time travel to Houston, Texas for him to pick up a truck he recently purchased for his
13 career. Mr. Castro will provide his pretrial services officer with his itinerary before traveling to
14 Houston, Texas. The parties submit that Defendant's Pretrial Services Officer does not object
15 to this request.

16 IT IS ORDERED that the parties' stipulation is hereby GRANTED.

17 DATED this 23rd day of November 2021.

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20 UNITED STATES MAGISTRATE JUDGE
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